XI-HC—78

(13)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक Cr.M.P.223 सन् 2007

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

Petitioner — Sohel Khan, S/o Shri Sirajuddin, aged about 65 years, R/o presently Quarter No.1-B, Street-16, Sector-7, Bhilai, District Durg (CG).

-Versus-

Respondent — State of Madhya Pradesh (now State of Chhattisgarh), through P.S. Navai, District Durg (CG).

(Petition under Section 482 of the Cr.P.C.)

29-6-2007

Shri Adil Minhaz, counsel for the petitioner.

Shri D.K. Gwalre, Addl. Public Prosecutor for the State.

Heard on Criminal Misc. Petition whereby it has been prayed to extend another three months' time for filing the bail bonds before the trial Court in pursuance of the order dated 13-3-2007 and also to reduce the compensation amount.

While disposing of criminal revision No.770/1995, this Court vide order dated 13-3-2007 upholding the conviction of the petitioner under Section 325 of the Indian Penal Code, instead of sentencing him at once under Section 325 of the Indian Penal Code he was directed to be released on probation for a period of two years on entering him into a bond to the tune of Rs.10,000/- with a surety in the likewise amount to the satisfaction of the trial Court that he shall keep peace and be of good behaviour. It was further directed that he should deposit Rs.10,000/- as compensation before the trial Court within a period of three months from that day.

Considering the ground raised in the petition, the time is extended up to 13-9-2007, however, the amount of compensation cannot be reduced looking to the nature of the crime. The accused was held guilty for the

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
Gowri	commission of offence under Section 325 of the IPC, considering the facts & circumstances of the case, it was thought appropriate that at least the accused/applicant should pay a compensation to the tune of Rs.10,000/- to the prosecutrix, therefore, that amount cannot be reduced. However, it is made clear that if the petitioner fails to comply with the above order, then he shall undergo imprisonment imposed upon him by the trial Court vide impugned judgment. With the aforesaid observations and directions, Criminal Misc. Petition stands disposed of. **Sd/-** **L.C. Bhadoo** **Judge**	

GRPRJ—ES/246—2/2007—50,000.